

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO**

**FOUR STAR AVIATION, INC.,  
Plaintiff**

v.

**CIVIL NO. 05-1088(DRD)**

**M&N AVIATION, INC.,  
Defendant**

**OMNIBUS ORDER**

<b>MOTION</b>	<b>RULING</b>
<p><b>Date Filed: 03/03/05</b>  <b><u>Docket #7</u></b>  <input type="checkbox"/> <b>Plaintiff</b>  <input checked="" type="checkbox"/> <b>Defendant</b>  <b>Title:</b> Defendant M &amp; N Aviation's Motion for Summary Judgment</p>	<p><b>SUMMARILY DENIED WITHOUT PREJUDICE.</b> The Court notes that movant has filed a Supplemental Motion for Summary Judgment at Docket No. 13. Therefore, the defendants has obviated the requisites set forth by Local Rule 7.1(e) as to the length of dispositive motions and the undersigned's Standing Order dated November 26, 2003. Defendant <b>may resubmit</b> its dispositive motion after proper pruning. However, the Court notes the parties are already conducting discovery proceedings hence the Court deems that the dispositive motion shall be filed once the discovery period is concluded. Furthermore, the parties are reminded that at summary judgment stage of the proceedings there is "no room for credibility determinations, no room for the measured weighing of conflicting evidence such as the trial process entails, [and] no room for the judge to superimpose his own ideas of probability and likelihood . . . ." <u>Greenburg v. Puerto Rico Mar. Shipping Auth.</u>, 835 F.2d 932, 936 (1st Cir. 1987). Therefore, the defendant is <b>GRANTED twenty (20) days</b> to provide its responsive pleading. <b>NO EXTENSIONS OF TIME SHALL BE GRANTED.</b> An Initial Case Management and Scheduling Conference shall be scheduled shortly thereafter.</p>
<p><b>Date Filed: 03/03/05</b>  <b><u>Docket #8</u></b>  <input type="checkbox"/> <b>Plaintiff</b>  <input checked="" type="checkbox"/> <b>Defendant</b>  <b>Title:</b> Defendant M &amp; N Aviation's Memorandum in Support of Motion for Summary Judgment</p>	<p><b>WITHDRAWN.</b> See ruling at Docket Entry No.7.</p>

<b>Date Filed: 03/03/05</b> <b>Docket #9</b> <input type="checkbox"/> <b>Plaintiff</b> <input checked="" type="checkbox"/> <b>Defendant</b> <b>Title:</b> Defendant M&N Aviation's Statement of Uncontroverted Facts	<b>WITHDRAWN.</b> See ruling at Docket Entry No.7.
<b>Date Filed: 03/09/05</b> <b>Docket 10</b> <input type="checkbox"/> <b>Plaintiff</b> <input checked="" type="checkbox"/> <b>Defendant</b> <b>Title:</b> Motion to Dismiss for Partial Summary Judgment as Premature; Alternative Motion for Time to Conduct Discovery	<b>MOOT.</b> See ruling at Docket Entry No. 7.
<b>Date Filed: 03/17/05</b> <b>Docket #11</b> <input type="checkbox"/> <b>Plaintiff</b> <input checked="" type="checkbox"/> <b>Defendant</b> <b>Title:</b> Defendant M&N Aviation's Response to Motion to Dismiss Motion for Partial Summary Judgment as Premature; Alternative Motion for Time to Conduct Discovery	<b>MOOT.</b> See ruling at Docket Entry No. 7.
<b>Date Filed: 03/22/05</b> <b>Docket #12</b> <input type="checkbox"/> <b>Plaintiff</b> <input checked="" type="checkbox"/> <b>Defendant</b> <b>Title:</b> Motion for Leave to Reply	<b>MOOT.</b> See ruling at Docket Entry No. 7.
<b>Date Filed: 03/28/05</b> <b>Docket #13</b> <input type="checkbox"/> <b>Plaintiff</b> <input checked="" type="checkbox"/> <b>Defendant</b> <b>Title:</b> Defendant M&N Aviation's Supplemental Motion for Partial Summary Judgment	<b>MOOT.</b> See ruling at Docket Entry No. 7.

<b>Date Filed: 04/14/05</b> <b>Docket #16</b> <input checked="" type="checkbox"/> <b>Plaintiff</b> <input checked="" type="checkbox"/> <b>Defendant</b> <b>Title:</b> Report of Early Meeting of Counsel	<b>NOTED.</b> Final case management schedule Order shall be provided by the Court.
<b>Date Filed: 04/22/05</b> <b>Docket #18</b> <input checked="" type="checkbox"/> <b>Plaintiff</b> <input checked="" type="checkbox"/> <b>Defendant</b> <b>Title:</b> Report of Early meeting of Counsel	<b>NOTED.</b>
<b>Date Filed: 05/12/05</b> <b>Docket #19</b> <input checked="" type="checkbox"/> <b>Plaintiff</b> <input checked="" type="checkbox"/> <b>Defendant</b> <b>Title:</b> Motion Requesting Order	<b>GRANTED.</b> The instant parties moved the Court to issue an Order ratifying and ordering implementation of the <i>Stipulated Confidentiality Agreement</i> signed by the parties. The Court notes that all the terms and conditions contained therein and hereby <b>APPROVES</b> the same as agreed by the parties and incorporated said terms and conditions and made part hereof.
<b>Date Filed: 07/07/05</b> <b>Docket #20</b> <input checked="" type="checkbox"/> <b>Plaintiff</b> <input type="checkbox"/> <b>Defendant</b> <b>Title:</b> Motion to Accept Filing of First Amended Complaint	<b>GRANTED.</b> Rule 15(a), Fed.R.Civ.P., 28 U.S.C., <u>Foman v. Davies</u> , 371 U.S. 178, 182 (1962). Further, as of this date, plaintiff's request remains unopposed.

**IT IS SO ORDERED.**

In San Juan, Puerto Rico this 21<sup>st</sup> day of July 2005.

**S/DANIEL R. DOMINGUEZ**  
**DANIEL R. DOMINGUEZ**  
**U.S. DISTRICT JUDGE**